

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

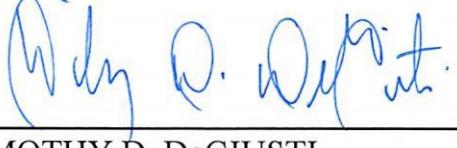
SOUTHERN NAZARENE)
UNIVERSITY,)
)
Plaintiff,)
)
v.) Case No. CIV-25-802-D
)
)
HES FACILITIES MANAGEMENT,)
LLC,)
)
Defendant.)

ORDER

Before the Court is Defendant's Motion to Dismiss [Doc. No. 6]. In response, Plaintiff timely filed an Amended Complaint [Doc. No. 10], as authorized by FED. R. CIV. P. 15(a)(1)(B). Upon consideration, the Court finds that Defendant's motion to dismiss, directed at Plaintiff's original pleading, is moot. *See Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991) (amended complaint supersedes the original); *see also Predator Int'l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180-81 (10th Cir. 2015).

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss [Doc. No. 6] is **DENIED** as **MOOT**. Defendant may resubmit a motion to dismiss, if appropriate, in response to the Amended Complaint [Doc. No. 10].

IT IS SO ORDERED this 2nd day of September, 2025.



TIMOTHY D. DeGIUSTI
Chief United States District Judge